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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/583,044	06/15/2006	Osamu Funahashi	MAT-8859US	6960
53473	7590	02/06/2009		
RATNERPRESTIA P.O. BOX 980 VALLEY FORGE, PA 19482			EXAMINER ROBINSON, RYAN C	
			ART UNIT 2614	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

ADVISORY ACTION

1. This communication is responsive to the after-final communication dated 1/6/2009.

Response

2. Applicant's request for reconsideration and arguments have been fully considered, but are not persuasive for placing the application in condition for allowance. The cited reference does clearly show all the limitations as claimed.

Applicant submits that the cited reference, Matsuda et al. (U.S. Patent No. 7,394,913) does not teach the feature claimed in claim 1, that:

... a diameter of an inner circumference of the suspension holder is greater than an outer diameter of the voice coil body while a diameter of an inner circumference of the diaphragm is greater than the diameter of the inner circumference of the suspension holder ..

Examiner respectfully disagrees. Matsuda et al. does not explicitly teach exact relative dimensions for the suspension (2), voice coil body (3), and diaphragm (8). However, examiner notes that it does not matter that the feature shown is unintended or unexplained in the specification (MPEP §2125). Examiner further notes that the description of the article pictured can be relied on, in combination with the drawings, for what they would reasonably teach one of ordinary skill in the art (MPEP §2125). One of ordinary skill would immediately understand that the suspension (2) is closer to bobbin (3), than the diaphragm (8), therefore the diameter of an inner circumference of the

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diaphragm is greater than the diameter of the inner circumference of the suspension holder. Furthermore, the suspension (2) is disclosed by Matsuda et al. as being fitted around the voice coil body (3) (Col. 3, lines 1-2), and therefore a diameter of an inner circumference of the suspension holder (2) being greater than an outer diameter of the voice coil body would be an inherent property of the suspension (2), since, if the inner diameter of the suspension were either greater to, or exactly the same as an outer diameter of the voice coil body, fitting the suspension around the voice coil body would be impossible.

Ryan Robinson

/Suhan Ni/

Primary Examiner, Art Unit 2614